

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Chief Judge Sheri Bluebond, Presiding  
Courtroom 1539 Calendar**

**Tuesday, November 01, 2016**

**Hearing Room 1539**

10:00 AM

**2:16-19608 Andrew Sun**

**Chapter 7**

**#1.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 25916 North Voltaire Place, Stevenson Ranch, CA 91381

MOVANT: HSBC BANK USA, NA

Docket 18

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant motion, including waiver of Rule 4001(a)(3). Make finding that bankruptcy case was part of a scheme to hinder, delay and defraud creditors that included the transfer of an interest in property without movant's consent and multiple bankruptcy filings affecting this property.

<b>Party Information</b>
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**Debtor(s):**

Andrew Sun

Pro Se

**Movant(s):**

HSBC Bank USA, National

Represented By  
Merdaud Jafarnia

**Trustee(s):**

Richard K Diamond (TR)

Pro Se

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10:00 AM

**2:16-19608 Andrew Sun**

**Chapter 7**

**#2.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 670 Shafter Way, Los Angeles, CA 90042

MOVANT: NATIONSTAR MORTGAGE, LLC.

fr. 10-11-16

Docket 13

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Tentative Ruling for October 11, 2016:

Case has been dismissed. Motion is not entirely moot, as it seeks extraordinary relief. Either deny motion as moot or, if movant prefers, continue hearing to give movant an opportunity to comply with Court's local, local rule re proceeding to hearing on motions in dismissed cases.

Final Ruling for October 11, 2016:

Continue hearing to November 1, 2016 at 10:00 a.m. Movant to serve notice of continued hearing and of intention to proceed notwithstanding dismissal. Movant should put in notice that oppositions will be due by October 25, 2016.

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Tentative Ruling for November 1, 2016:

Where is Exhibit 1 referenced in supplemental declaration?

<b>Party Information</b>
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**Debtor(s):**

Andrew Sun

Pro Se

**Movant(s):**

Nationstar Mortgage LLC as

Represented By  
Kelly M Raftery

**United States Bankruptcy Court  
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**CONT... Andrew Sun**

**Chapter 7**

**Trustee(s):**

Richard K Diamond (TR)

Pro Se

**United States Bankruptcy Court  
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**2:16-20645 Brian Jeffrey Streeter and Christine Marie Streeter**

**Chapter 7**

**#3.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 19721 Ermine Street, Santa Clarita, CA 91351

MOVANT: HSBC BANK USA, NA

Docket 10

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Deny request for relief under section 362(d)(1) due to existence of sizeable equity cushion, but grant motion under section 362(d)(2) (without waiver of Rule 4001(a)(3)) as debtor lacks equity in the property.

<b>Party Information</b>
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**Debtor(s):**

Brian Jeffrey Streeter

Represented By  
Karine Karadjian

**Joint Debtor(s):**

Christine Marie Streeter

Represented By  
Karine Karadjian

**Movant(s):**

HSBC Bank USA, National

Represented By  
Kelly M Raftery  
Merdaud Jafarnia

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

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**2:16-20805 Anne Marie Shores**

**Chapter 7**

**#4.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2006 MERCEDES-BENZ R-350, VIN 4JGCB65E06A015451

MOVANT: SANTANDER CONSUMER USA, INC.

Docket 12

**Courtroom Deputy:**

10/3/16 - Amended motion filed

10/28/16 - John Kim, (714)431-1027, has been approved for telephonic appearance on 11/1/16 @ 10am

**Tentative Ruling:**

Grant without waiver of Rule 4001(a)(3).

<b>Party Information</b>
--------------------------

**Debtor(s):**

Anne Marie Shores

Represented By  
Michael E Plotkin

**Movant(s):**

Santander Consumer USA Inc.

Represented By  
Jennifer H Wang

**Trustee(s):**

Timothy Yoo (TR)

Pro Se

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**2:16-21453 Debbie Schmidt and Stephen Hawk**

**Chapter 7**

**#5.00** Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 4742 West Ave K-12, Quartz Hill, CA 93536

MOVANT: U.S. BANK TRUST, NA

Docket 15

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Debtors have filed an opposition to the motion for relief. Why does their statement of intent indicate an intention to surrender the property?

Grant without waiver of Rule 4001(a)(3).

<b>Party Information</b>
--------------------------

**Debtor(s):**

Debbie Schmidt

Represented By  
Bruce V Rorty

**Joint Debtor(s):**

Stephen Hawk

Represented By  
Bruce V Rorty

**Movant(s):**

U.S. Bank Trust, N.A., as Trustee

Represented By  
Merdaud Jafarnia

**Trustee(s):**

Heide Kurtz (TR)

Pro Se

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10:00 AM

**2:16-21801 Elias De La Riva**

**Chapter 7**

**#6.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2013 CHEVROLET CAPTIVA, VIN 3GNAL4EK5DS588626

MOVANT: FIRST INVESTORS FINANCIAL SERVICES

Docket 10

**Courtroom Deputy:**

10/28/16 - John Kim, (714) 431-1027 has been approved for telephonic appearance on 11/1/16 @ 10am

**Tentative Ruling:**

Grant with waiver of Rule 4001(a)(3).

<b>Party Information</b>
--------------------------

**Debtor(s):**

Elias De La Riva

Represented By  
Gregory M Shanfeld

**Movant(s):**

First Investors Financial Services

Represented By  
Jennifer H Wang

**Trustee(s):**

John J Menchaca (TR)

Pro Se

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10:00 AM

**2:16-22646 Katrina N Santley**

**Chapter 7**

**#7.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2007 Mazda 3 VIN# JM1BK324771602631

MOVANT: GATEWAY ONE LENDING & FINANCE

Docket 9

**Courtroom Deputy:**

10/28/16 - Austin Nagel, (925) 855-8080 x205, has been approved for telephonic appearance on 11/1/16 @ 10am

**Tentative Ruling:**

Grant with waiver of Rule 4001(a)(3).

<b>Party Information</b>
--------------------------

**Debtor(s):**

Katrina N Santley

Represented By

Michael Smith

Michelle A Marchisotto

**Movant(s):**

Gateway One Lending & Finance

Represented By

Austin P Nagel

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se



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**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#8.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: Three (3) 2016 Hyundai Van Trailers  
\* VIN #'S 3H3V532C0GT063020; 3H3V532C3FT063030;  
3H3V532C1GT063009

MOVANT: BANK OF THE OZARKS

fr. 11-2-16

Docket 33

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Collateral is personal property that is depreciating as the debtor uses it. Absent offsetting payments, there will be cause to grant relief under section 362(d)(1). Enter APO requiring debtor to remain current on future payments as a condition to continuation of the automatic stay.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

**Movant(s):**

Bank of the Ozarks

Represented By  
Sara B Spaeth  
Long Z Liu

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**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#9.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2014 Freightliner Cascadia 3AKJGD64ESFU3535

MOVANT: ENGS COMMERCIAL FINANCE CO.

Docket 35

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant without waiver of Rule 4001(a)(3).

<b>Party Information</b>
--------------------------

**Debtor(s):**

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

**Movant(s):**

Engs Commercial Finance Co.

Represented By  
Raymond A Policar  
Long Z Liu

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**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#10.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: Three 2014 Utility Dry Van 53' Trailers, VIN 1UYVS2537EG803015, 1UYVS2537EG803016 and 1UYVS2530EG803017

MOVANT: BMO HARRIS BANK,NA

Docket 39

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Collateral is personal property that is depreciating as the debtor uses it. Absent offsetting payments, there will be cause to grant relief under section 362(d)(1). Enter APO requiring debtor to remain current on future payments and maintain insurance coverage as a condition to continuation of the automatic stay.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

**Movant(s):**

BMO Harris Bank, N.A.

Represented By  
Raffi Khatchadourian  
Long Z Liu

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10:00 AM

**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#11.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: Two 2014 Utility Dry Van 53' Trailers, VIN 1UYVS2535EG802512 and 1UYVS253XEG803025

MOVANT: BMO HARRIS BANK, NA

Docket 40

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Collateral is personal property that is depreciating as the debtor uses it. Absent offsetting payments, there will be cause to grant relief under section 362(d)(1). Enter APO requiring debtor to remain current on future payments and maintain insurance coverage as a condition to continuation of the automatic stay.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

**Movant(s):**

BMO Harris Bank, N.A.

Represented By  
Raffi Khatchadourian  
Long Z Liu

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10:00 AM

**2:16-20178 Sunrise Logistic Group, Inc.**

**Chapter 11**

**#12.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: One 2014 Freightliner VIN: 3AKJGLD65ESFU3544, and One 2014 Freightliner VIN 3AKJGLD63ESFU3543 w/ ITM Dometic APU w/ A/C

MOVANT: SCOTTRADE BANK EQUIPMENT FINANCE

Docket 44

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Grant without waiver of Rule 4001(a)(3).

<b>Party Information</b>
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**Debtor(s):**

Sunrise Logistic Group, Inc.

Represented By  
Steven A Schwaber  
Long Z Liu

**Movant(s):**

SCOTTRADE BANK

Represented By  
Wayne R Terry  
Long Z Liu

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10:00 AM

**2:16-22628 CC Greystone, LLC**

**Chapter 7**

**#13.00** Notice of motion and motion for relief from the automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Carnival Investment v. CC Greystone, LLC. Docket Number: 16-3027-JAS; Pending in Binding Contractual Arbitration Through ADR Services, LLC.

MOVANT: CARNIVAL INVESTMENT, LLC.

fr. 10-18-16

Docket 6

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Tentative Ruling for October 18, 2016:

Continue hearing for proper service. Motion was served on debtor's counsel, but was never served on the debtor. (Reject counsel's argument that service was untimely. Weekend days do count. Court also rejects debtor's standing argument. Movant is the party that wants to proceed with arbitration. They are the appropriate party to bring this motion.)

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Final Ruling for October 18, 2016:

Continue hearing to November 1, 2016 at 10:00 a.m. to give debtor more time and to give movant an opportunity to report on what will happen if debtor cannot pay its share of the costs of arbitration. Movant must file and serve a supplemental declaration by October 28, 2016. The debtor must file and serve any supplemental opposition not later than October 28, 2016.

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Tentative Ruling for November 1, 2016:

Court has reviewed movant's supplemental declaration. Grant motion without waiver of Rule 4001(a)(3).

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10:00 AM

**CONT... CC Greystone, LLC**

**Chapter 7**

<b>Party Information</b>
--------------------------

**Debtor(s):**

CC Greystone, LLC

Represented By  
Jan S Mason

**Movant(s):**

Carnival Investment, LLC

Represented By  
Joseph R Brown

**Trustee(s):**

Sam S Leslie (TR)

Pro Se

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**Tuesday, November 01, 2016**

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10:00 AM

**2:16-14975 Kevin Deshone Booker**

**Chapter 11**

**#14.00** Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2008 HARLEY-DAVIDSON FLHX STREET GLIDE, VIN # 1HD1KB4348Y614883

MOVANT: HARLEY-DAVIDSON CREDIT CORPORATION

fr. 10-18-16

Docket 95

**Courtroom Deputy:**

10/28/16 - Mark Estle, (858)720-0890, has been approved for telephonic appearance on 11/1/16 @ 10am

**Tentative Ruling:**

Tentative Ruling for October 18, 2016:

Grant with waiver of Rule 4001(a)(3).

-----  
Final Ruling for October 18, 2016:

Parties are circulating a stipulation that will resolve this matter. Continue hearing to November 1, 2016 at 10:00 a.m. to give the Court an opportunity to process this stipulation.

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Tentative Ruling for November 1, 2016:

Have the parties filed their proposed stipulation and uploaded an order approving that stipulation?

<b>Party Information</b>
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**Debtor(s):**

Kevin Deshone Booker

Represented By  
M Jonathan Hayes  
Roksana D. Moradi



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**CONT... Kevin Deshone Booker**

**Chapter 11**

**Movant(s):**

Harley-Davidson Credit Corporation

Represented By  
Mark D Estle

**United States Bankruptcy Court  
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**Tuesday, November 01, 2016**

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10:30 AM

**2:16-18301 TCC General Contracting, Inc.**

**Chapter 11**

**#50.00** Final Hearing re: Motion to Use Cash Collateral On An Interim And Final Basis  
fr. 6-28-16, 7-26-16

Docket 6

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Provided service is adequate, authorize debtor to use cash collateral in accordance with budget, plus a 15 percent variance, up to a maximum amount between petition date and date of final hearing. All lenders shall receive replacement lien on post-petition assets, other than avoiding power claims, to secure the diminution in value of their prepetition collateral. Post-petition liens shall have the same validity and priority as prepetition liens. Authorize use for interim period, pending hearing on a fully-noticed basis. Set final hearing on motion.

-----  
Tentative Ruling for July 26, 2016:

Court has reviewed actual to budget analysis. With the exception of one week, revenues are significantly lower than projections. How does this effect the overall projection? Has debtor restated its longer term projections in light of this variance?

Court is not inclined to approve both authority to rollover unused portions of expenses and a 20 percent variance. This could allow for a very sizeable increase over the budget in any given period.

Hearing required.

-----  
Final Ruling for July 26, 2016:

Continue authority to use cash collateral for amounts in budget plus a 15

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**CONT... TCC General Contracting, Inc.**

**Chapter 11**

percent variance through November 4, 2016. Deny request for rollover of unused portion of amounts previously requested. Set continued hearing for November 1, 2016 at 10:30. Debtor shall serve and file updated budget not later than August 3, 2016. Any supplemental objections by August 17, 2016. Debtor should provide additional information re value of assets by August 5, 2016. (Interim order signed August 1, 2016.)  
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Tentative Ruling for November 1, 2016:

Hearing required.

<b>Party Information</b>
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**Debtor(s):**

TCC General Contracting, Inc.

Represented By  
Steven R Fox

**Movant(s):**

TCC General Contracting, Inc.

Represented By  
Steven R Fox

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10:30 AM

**2:16-18301 TCC General Contracting, Inc.**

**Chapter 11**

**#51.00** Scheduling and Case Management Conference in a Chapter 11 Case

fr. 8-17-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Set bar date and deadline for filing objections to claims. Set deadline for filing plan and disclosure statement.

6/17/16 -- Court granted application for bar date. Deadline to serve notice of bar date -- August 20, 2016. Bar date -- October 31, 2016.

Tentative Ruling for November 1, 2016:

Set deadline for filing plan and disclosure statement in approximately 90 days. Continue case status conference to date scheduled for hearing on disclosure statement.

<b>Party Information</b>
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**Debtor(s):**

TCC General Contracting, Inc.

Represented By  
Steven R Fox

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**Tuesday, November 01, 2016**

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10:30 AM

**2:15-27833 BGM Pasadena, LLC**

**Chapter 11**

**#52.00** Motion to Quash or, Alternatively, Modify:

(1) The Subpoena for Production of Documents Issued by the Debtor to Citizens Business Bank

(2) The Subpoena for Production of Documents Issued by the Debtor to California Republic Bank

Docket 472

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Court is confused. The subpoenas that movant seeks to quash were not served upon it. The subpoenas in question were served upon Citizens Business Bank and Mechanics Bank. The subpoenas seek documents in their possession. These document production requests cannot be burdensome for the movant. Any procedural defects or any argument that service of the discovery is merely designed to harrass should be raised by the respondents, not by movant.

Further, how can movant assert that there is no contested matter? Movant intends to object or has objected to confirmation of the debtor's plan, no? The only issues, therefore, are:

1. whether the information sought is within the scope of permissible discovery under FRBP 7026(b)(1); and
2. whether there is some privilege or protection of some other kind that would prevent the requested discovery.

It is difficult to see how there can be any applicable privilege that has not been waived, as the debtor is only requesting this information from third parties. Although tax returns are entitled to special consideration and need not be produced if there are other appropriate ways to obtain the required

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**CONT... BGM Pasadena, LLC**

**Chapter 11**

information, this protection/consideration does not apply to all financial information, books, records, etc. Movant has not asserted that there are trade secrets involved. Movant is not a human concerned about names of minor children or other information that might lead to identity theft.

However, debtor does need to explain the kind of information that it is seeking and why this might be likely to lead to the discovery of admissible evidence in litigation concerning the matters at issue between the parties. Court was not able to glean this from the portions of the parties' stipulation drafted by the debtor. It seems as though the debtor's argument is merely that movant seems to be acting irrationally and the debtor would like to do discovery to try to figure out why.

Hearing required.

<b>Party Information</b>
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**Debtor(s):**

BGM Pasadena, LLC

Represented By  
James A Tiemstra  
Lisa Lenherr

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**2:15-27833 BGM Pasadena, LLC**

**Chapter 11**

**#53.00 Debtor's Discovery Motion**

Docket 471

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Motion seeks two types of relief. One portion of the motion seeks to compel Cantor to respond to discovery requests that have been served upon it. See tentative ruling for matter no. 52 for a discussion of the court's questions concerning discovery propounded upon Cantor.

The second portion of the relief requested by this motion relates to discovery served by Cantor, namely 12 third-party subpoenas that have already been served and 4 additional subpoenas that debtor claims Cantor has attempted to serve. Court needs to understand how the information that Cantor seeks to obtain from these parties falls within the scope of permissible discovery under FRBP 7026(b), particularly where, as here, the plan cannot and will not be confirmed unless the required capital contribution has already been deposited with debtor's counsel prior to the confirmation hearing.

Hearing required.

<b>Party Information</b>
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**Debtor(s):**

BGM Pasadena, LLC

Represented By  
James A Tiemstra  
Lisa Lenherr

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2:00 PM

:

**Chapter 0**

Adv#: 2:16-01124      Life Partners Holdings Inc et al v. Wedbush Securities et al

**#200.00**      Status Conference re: 02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))) Notice of Removal by Life Partners Holdings Inc , Harry J Wilson , John S Muratore , Brian D Pardo , Pardo Family Holdings Limited , Steven B Deck , William M Tolleson , Kim Butler , Andrew Lowell Lawson III, William McEwen , Edwin M Schroeter , Ronald Larry Hankins , Jack L Dixon , Clinton M Townsend , Robert G Westrup

fr. 5-3-16, 9-13-16, 9-27-16

Docket      1

**\*\*\* VACATED \*\*\*      REASON: CONT'D. TO 1/24/17 @ 2PM**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

4/25/16 -- Court entered order continuing status conference to September 13, 2016 at 2:00 p.m. OFF CALENDAR FOR MAY 3, 2016.

9/22/16 -- Court approved stipulation continuing status conference to November 1, 2016 at 2:00 p.m. OFF CALENDAR FOR SEPTEMBER 27, 2016. NO APPEARANCE REQUIRED.

Tentative Ruling for November 1, 2016:

Plaintiff requests a continuance for approximately 8 to 12 weeks to permit the trustee of the Creditor Trust under its soon-to-be-confirmed plan to be substituted in as plaintiff in this matter. Why hasn't defendant filed an answer to the complaint? Will anyone be moving to remand or transfer this matter? Hearing required.

10/31/16 -- Court approved stipulation continuing hearing to January 24, 2017 at 2:00 p.m. OFF CALENDAR FOR NOVEMBER 1, 2016.

<b>Party Information</b>
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**CONT...**

**Chapter 0**

**Defendant(s):**

Does 1 Through 100 Inclusive Pro Se

Wedbush Securities Pro Se

**Other Professional(s):**

H Thomas Moran Represented By  
Bruce J Zabarauskas

**Plaintiff(s):**

Edwin M Schroeter Pro Se

William McEwen Pro Se

Andrew Lowell Lawson III Pro Se

Ronald Larry Hankins Pro Se

Robert G Westrup Pro Se

Clinton M Townsend Pro Se

Jack L Dixon Pro Se

Kim Butler Pro Se

John S Muratore Pro Se

Harry J Wilson Pro Se

Life Partners Holdings Inc Represented By  
Bruce J Zabarauskas

Brian D Pardo Pro Se

William M Tolleson Pro Se

Steven B Deck Pro Se

Pardo Family Holdings Limited Pro Se

**U.S. Trustee(s):**

United States Trustee (LA) Pro Se

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**CONT...**

**Chapter 0**

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Los Angeles  
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Courtroom 1539 Calendar**

**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:14-12409 David Harry Geller**

**Chapter 7**

Adv#: 2:15-01528 Krasnoff Ch 7 Trustee v. THE BARBARA DELARM MARTIN AND

**#201.00** Status Conference re: 91 (Declaratory judgment)), (11 (Recovery of money/property - 542 turnover of property)) Complaint by Brad D Krasnoff Ch 7 Trustee against The Barbara Delarm Martin and Murray Geller Family Trust, Esther Haya Geller Freeman

fr. 12-1-15, 3-8-16, 5-10-16, 7-19-16, 9-6-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: 10/19/16 - ADV. DISMISSED**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

If either party believes that the matter may be summarily adjudicated and that the facts aren't likely to be in dispute, he or she may bring a motion for summary adjudication or summary judgment without further ado. Continue status conference approximately 90 days and order parties to complete a day of mediation prior to date of continued status conference. Court will set discovery cutoff and deadline for bringing pretrial motions at that time.

12/9/15 -- Court signed scheduling order setting following dates:

Cont'd status conference -- March 8, 2016 at 2:00 p.m.

L/D to complete mediation -- March 8, 2016

L/D to lodge order appointing mediators -- December 21, 2015

L/D for defendant to file motion for summary judgment -- January 15, 2016

Hearing on MSJ -- March 8, 2016 at 2:00 p.m.

12/22/15 -- Court signed order appointing mediators.

-----  
Tentative Ruling for March 8, 2016:

Did the parties participate in mediation on February 24, 2016? Did the

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**CONT...**      **David Harry Geller**  
matter settle? Hearing required.

**Chapter 7**

3/7/15 -- Court approved stipulation continuing hearing to May 10, 2016 at 2:00 p.m. OFF CALENDAR FOR MARCH 8, 2016. NO APPEARANCE REQUIRED.

4/29/16 -- Court approved stipulation continuing hearing to July 9, 2016 at 2:00 p.m. OFF CALENDAR FOR MAY 10, 2016.

7/6/16 -- Court approved stipulation continuing hearing to September 6, 2016 at 2:00 p.m. OFF CALENDAR FOR JULY 19, 2016.

Tentative Ruling for September 6, 2016:

Impose sanctions of \$150 on counsel for each party for failing to file joint status report in a timely manner. What is the status of this matter? Hearing required.

10/19/16 -- Court approved stipulation dismissing action. OFF CALENDAR.

<b>Party Information</b>
--------------------------

**Debtor(s):**

David Harry Geller

Represented By  
Natella Royzman

**Defendant(s):**

David Harry Geller

Pro Se

ESTHER HAYA GELLER

Pro Se

THE BARBARA DELARM

Pro Se

**Joint Debtor(s):**

Lysa Deonne Geller

Represented By  
Natella Royzman

**United States Bankruptcy Court  
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**CONT... David Harry Geller**

**Chapter 7**

**Plaintiff(s):**

Brad D Krasnoff Ch 7 Trustee

Represented By  
Kevin Meek

**Trustee(s):**

Brad D Krasnoff (TR)

Represented By  
Eric P Israel  
Danning Gill Diamant & Kollitz LLP

Brad D Krasnoff (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:14-22901 Katherine Diana Muno**

**Chapter 7**

Adv#: 2:14-01640 The Klabin Company v. Muno

**#202.00** Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)) Complaint by The Klabin Company against Katherine Diana Muno

fr. 12-9-14, 3-10-15, 6-16-15, 9-15-15, 11-17-15, 2-23-16, 5-10-16, 7-19-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: 9/20/16 - JUDGMENT ENTERED**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Tentative Ruling for March 10, 2015:

Parties report that they participated in a mediation on August 13, 2013. This adversary proceeding was not filed until October 6, 2014. Clearly, they have not participated in a mediation in this adversary proceeding. Who conducted the earlier mediation?

Set discovery cutoff for late April, 2015. Set pretrial conference for approximately 30 days thereafter.

-----  
Tentative Ruling for June 16, 2015:

Parties need to have their accountants or financial advisors sit down with documents in an attempt to narrow the issues. Set discovery cutoff for mid August, 2015 and final status conference for shortly thereafter. Order parties to complete a day of mediation prior to date of final status conference.

Tentative Ruling for November 17, 2015:

Where is the joint status report that should have been filed by November 3,

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2:00 PM

**CONT... Katherine Diana Muno**

**Chapter 7**

2015? What is the status of this matter? Hearing required.

Tentative Ruling for February 23, 2016:

Was the joint status report served on Judge Bluebond as required by local rules and the Court manual? There is no proof of service attached to the document.

How long do the parties need to document their settlement?

-----

Final Ruling for February 23, 2016:

Continue status conference to May 10, 2016. Parties should file a joint status report not later than April 26, 2016.

-----

Tentative Ruling for May 10, 2016:

Parties have once again failed to file a joint status report by the deadline established by the Court for this purpose. Sanction counsel for the parties \$150 each. How long do the parties need to document their settlement?

-----

Final Ruling for May 10, 2016:

On May 11, 2016, Court entered order imposing sanctions on counsel for the parties for failing to file a joint status report in a timely manner. That order continued the status conference to July 19 and ordered the parties to file a joint status report by July 5, 2016.

-----

Tentative Ruling for July 19, 2016:

Incredibly, counsel for the parties have once again failed to file a joint status report in a timely manner. Impose sanctions of \$150 each on counsel for the parties and issue an OSC re dismissal for failure to prosecute.

(Parties filed a status report on July 12. Are the parties reporting that they have reached a settlement in principle?)

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2:00 PM

**CONT... Katherine Diana Muno**

**Chapter 7**

9/20/16 -- Court approved stipulation re entry of judgment. MATTER  
RESOLVED. OFF CALENDAR.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Katherine Diana Muno

Represented By  
Dheeraj K Singhal

**Defendant(s):**

Katherine Diana Muno

Pro Se

**Plaintiff(s):**

The Klabin Company

Represented By  
Kevin R Behrendt

**Trustee(s):**

Jason M Rund (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se



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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:15-21993 Ronnie Chism**

**Chapter 7**

Adv#: 2:15-01562 Yeldell v. Chism

**#203.00** Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud). Complaint by Eric Yeldell against Ronnie Chism

fr. 12-29-15, 3-29-16, 4-12-16, 8-30-16

Docket 1

**Courtroom Deputy:**

10/31/16 - Jason Wallach, (310)556-4660, has been approved for telephonic appearance on 11/1/16 @ 2pm

**Tentative Ruling:**

Impose sanctions on counsel for parties of \$50 each for failing to serve copy of status report on judge as required by local rules and court manual. Set discovery cutoff for late February and final status conference shortly thereafter. Require parties to complete a day of mediation prior to date of continued status conference.

1/5/16 -- Court signed scheduling order setting following dates:

Discovery cutoff -- March 15, 2016

Cont'd status conference -- March 29, 2016 at 2:00 p.m.

L/D to file joint status report -- March 15, 2016

L/D to lodge order appointing mediators -- January 15, 2016

L/D to complete a day of mediation -- March 29, 2016

1/19/16 -- Court signed order appointing mediators.

Tentative Ruling for March 29, 2016:

Where is the joint status report that should have been filed by March 15, 2016? Have the parties completed discovery? Have they participated in mediation? Hearing required.

3/28/16 -- Court approved stipulation continuing hearing to April 12, 2016 at

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2:00 PM

**CONT... Ronnie Chism**

**Chapter 7**

2:00 p.m. OFF CALENDAR FOR MARCH 29, 2016.

Tentative Rulling for April 12, 2016:

Mediator reports that matter has settled. What is the structure of the parties' settlement? Hearing required.

-----  
Tentative Ruling for August 30, 2016:

Plaintiff reports that he will be moving for entry of judgment pursuant to the parties' stipulation. When does plaintiff anticipate that he will be in a position to file that motion? Hearing required.

NOTE: Counsel for defendant has requested a continuance of the status conference, which is not inconsistent with above tentative ruling. Counsel reports that defendant has filed a new chapter 13 bankruptcy case. Court has not verified this information. Discuss with parties consequences of such a filing.

-----  
Final Ruling for August 30, 2016:

Court recommended that plaintiff obtain relief from stay before asking for entry of judgment based on debtor's default. Continue status conference to November 1, 2016 at 2:00 p.m. as a holding date. Joint status report waived.

-----  
Tentative Ruling for November 1, 2016:

What, if anything, has transpired since last status conference? Has plaintiff obtained relief from stay?

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ronnie Chism

Represented By  
Dana M Douglas

**Defendant(s):**

Ronnie Chism

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**Tuesday, November 01, 2016**

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2:00 PM

**CONT... Ronnie Chism**

**Chapter 7**

**Plaintiff(s):**

Eric Yeldell

Represented By  
Jason Wallach

**Trustee(s):**

Elissa Miller (TR)

Pro Se

Elissa Miller (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court  
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**Tuesday, November 01, 2016**

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2:00 PM

**2:15-29263 Daniel Dario Collazo, Jr.**

**Chapter 7**

Adv#: 2:16-01161 Jaime v. Collazo, Jr.

**#204.00** Motion for Default Judgment against Daniel Dario Collazo, Jr.

Docket 22

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Plaintiff sought judgment in state court for breach of contract and fraud, but what did state court judgment actually provide? Has plaintiff supplied a copy of the judgment? There are no facts alleged in the complaint to support a claim under section 523(a)(6). Deny motion for default judgment.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Daniel Dario Collazo Jr.

Represented By  
Luis G Torres

**Defendant(s):**

Daniel Dario Collazo Jr.

Pro Se

**Plaintiff(s):**

Salvador Hernandez Jaime

Represented By  
David R Chase

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

**United States Bankruptcy Court  
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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:15-29263 Daniel Dario Collazo, Jr.**

**Chapter 7**

Adv#: 2:16-01161 Jaime v. Collazo, Jr.

**#205.00** Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) Complaint by Salvador Hernandez Jaime against Daniel Dario Collazo Jr.

fr 5-31-16, 9-27-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Tentative Ruling for June 28, 2016:

Default has now been entered. Set deadline for plaintiff to file motion for entry of default judgment. Continue status conference to coincide with hearing on default judgment motion.

-----  
Final Ruling for June 28, 2016:

Continue status conference to September 27, 2016 at 2:00 p.m. Plaintiff should file and serve default judgment motion not later than September 6 and set if for hearing on September 27, 2016 at 2:00 p.m.

-----  
Tentative Ruling for September 27, 2016:

Plaintiff failed to file motion in a timely manner. Instead, plaintiff filed motion on September 21, 2016 and set hearing for November 1, 2016. Continue status conference to November 1, 2016 at 2:00 p.m. to be heard concurrently with status conference. OFF CALENDAR FOR SEPTEMBER 27, 2016.

Tentative Ruling for November 1, 2016:

How does plaintiff intend to proceed? Unless plaintiff would like to amend the complaint, issue OSC re dismissal.

<b>Party Information</b>
--------------------------

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**CONT... Daniel Dario Collazo, Jr.**

**Chapter 7**

**Debtor(s):**

Daniel Dario Collazo Jr.

Represented By  
Luis G Torres

**Defendant(s):**

Daniel Dario Collazo Jr.

Pro Se

**Plaintiff(s):**

Salvador Hernandez Jaime

Pro Se

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

Edward M Wolkowitz (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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Courtroom 1539 Calendar**

**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:16-11715 Seung Bum Ha**

**Chapter 7**

Adv#: 2:16-01225 Neman Brothers & Associates, Inc., a California co v. Ha

**#206.00** Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)) Complaint by Neman Brothers & Associates, Inc., a California corporation against Seung Bum Ha

fr. 7-19-16

Docket 1

**\*\*\* VACATED \*\*\* REASON: OFF CALENDAR**

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Explain to parties difficulties inherent in settling 727 action. Continue status conference for approximately 90 days. Order parties to complete a day of mediation prior to date of continued status conference.

7/21/16 -- Court signed scheduling order setting following dates:

Cont'd status conference -- November 1, 2016 at 2:00 p.m.

L/D to file updated status report -- October 18, 2016

L/D to complete a day of mediation -- November 1, 2016

L/D to lodge order appointing mediators -- August 5, 2016

7/26/16 -- Court signed order approving stipulation providing for transfer of adversary proceeding to Judge Robles so that it may be consolidated with related adversary proceeding.

OFF CALENDAR.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Seung Bum Ha

Represented By

**United States Bankruptcy Court  
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**CONT... Seung Bum Ha**

**Chapter 7**

Young K Chang

**Defendant(s):**

Seung Bum Ha

Pro Se

**Plaintiff(s):**

Neman Brothers & Associates, Inc.,

Represented By  
Nico N Tabibi

**Trustee(s):**

Edward M Wolkowitz (TR)

Pro Se

Edward M Wolkowitz (TR)

Pro Se

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se



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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:16-15297 Eugene B Chun**

**Chapter 7**

Adv#: 2:16-01325 Cha v. Chun

**#207.00** Status Conference re: 62 (Dischargeability - 523(a) (2) false pretenses, false representation, actual fraud)) (68 (Dischargeability - 523(a)(6), willful and malicious injury)),(41 (Objection / revocation of discharge - 727(c),(d),(e)))  
Complaint by Byeong In Cha against Eugene B Chu

FR. 9-27-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

9/23/16 -- Court approved stipulation continuing status conference to November 1, 2016 at 2:00 pm. OFF CALENDAR FOR SEPTEMBER 27, 2016.

Tentative Ruling for November 1, 2016:

Impose sanctions of \$150 each on counsel for the parties for failing to file joint status report in a timely manner. Set discovery cutoff for late March, 2017. Why don't the parties want this matter sent to mediation? Hearing required.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Eugene B Chun

Represented By  
Raj T Wadhvani

**Defendant(s):**

Eugene B Chun

Pro Se

**Plaintiff(s):**

Byeong In Cha

Represented By

**United States Bankruptcy Court  
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**Tuesday, November 01, 2016**

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**CONT...**

**Eugene B Chun**

William W Kim

**Chapter 7**

**Trustee(s):**

Peter J Mastan (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:16-17165 Alvaro Visente Campos Garcia**

**Chapter 7**

Adv#: 2:16-01397 Alaska USA Federal Credit Union v. Campos Garcia

**#208.00** Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) Complaint by Alaska USA Federal Credit Union against Alvaro Visente Campos Garcia

Docket 1

**Courtroom Deputy:**

10/25/16 - Shelby Poteet, (619) 727-6778, has been approved for telephonic appearance on 11/1/16 @ 2pm

**Tentative Ruling:**

Set discovery cutoff for late February 2017. Continue status conference to approximately same time frame and order parties to complete a day of mediation prior to date of continued status conference.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Alvaro Visente Campos Garcia

Represented By  
Yoon O Ham

**Defendant(s):**

Alvaro Visente Campos Garcia

Pro Se

**Plaintiff(s):**

Alaska USA Federal Credit Union

Represented By  
Richard L Mahfouz

**Trustee(s):**

Timothy Yoo (TR)

Pro Se

**United States Bankruptcy Court  
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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:11-62283 Genius Products LLC**

**Chapter 7**

Adv#: 2:14-01287 Siegel v. Drinkwater

**#209.00** Plaintiff's Motion for Leave to File Amended Complaint

Docket 82

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

While it is true that an amended complaint stating new theories of relief will relate back if it arises out of the same set of facts and occurrences as the original complaint, a plaintiff cannot satisfy this standard by making his original (or, in this case, first amended) complaint so vague and indefinite that any number of other sets of facts and occurrences will fall within the general description.

Deny motion for leave to amend.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Genius Products LLC

Pro Se

**Defendant(s):**

Trevor Drinkwater

Represented By  
Lance N Jurich  
Benjamin R King

**Plaintiff(s):**

Alfred H. Siegel

Represented By  
Lindsey L Smith  
David B Shemano  
James P Menton JR

**United States Bankruptcy Court  
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2:00 PM

**CONT... Genius Products LLC**

**Chapter 7**

**Trustee(s):**

Alfred H Siegel (TR)

Represented By

Anthony A Friedman

Alfred H Siegel (TR)

Lindsey L Smith

James P Menton JR

**United States Bankruptcy Court  
Central District of California  
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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:11-62283 Genius Products LLC**

**Chapter 7**

Adv#: 2:14-01287 Siegel v. Drinkwater

**#210.00** Motion to Consolidate Lead Case 15-01241 with 14-01287

Docket 86

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

If court grants motion for leave to amend, grant motion to consolidate. If court denies motion for leave to amend, deny motion to consolidate, but coordinate two adversary proceedings. Set them for status conferences at the same date and time and direct parties to depose witnesses simultaneously in both actions.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Genius Products LLC

Pro Se

**Defendant(s):**

Trevor Drinkwater

Represented By  
Lance N Jurich  
Benjamin R King

**Plaintiff(s):**

Alfred H. Siegel

Represented By  
Lindsey L Smith  
David B Shemano  
James P Menton JR

**Trustee(s):**

Alfred H Siegel (TR)

Represented By  
Anthony A Friedman  
Alfred H Siegel (TR)

**United States Bankruptcy Court  
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**CONT...**

**Genius Products LLC**

Lindsey L Smith  
James P Menton JR

**Chapter 7**

**United States Bankruptcy Court  
Central District of California  
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2:00 PM

**2:11-62283 Genius Products LLC**

**Chapter 7**

Adv#: 2:14-01287 Siegel v. Drinkwater

**#211.00** Status Conference re: 13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy)))  
Complaint by Alfred H. Siegel against Trevor Drinkwater

fr. 1-6-16, 4-26-16, 6-28-16, 9-13-16, 9-27-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Discuss with the parties the prospect of coordination, as opposed to consolidation. Set deadlines for the filing of any motions to consolidate and any motions for leave to amend.

2/11/16 -- Court signed scheduling order setting following dates:

Cont'd status conference -- April 26, 2016 at 2:00 p.m.

L/D to file the following pretrial motions -- April 5, 2016:

1. trustee's motion for leave to amend (or to determine whether amendment is necessary);
2. trustee's motion to consolidate;
3. defendant's motion to determine whether jury trial is available and has been preserved.

Hearing on pretrial motions -- April 26, 2016 at 2:00 p.m.

4/4/16 -- Court signed order extending deadline to file pretrial motions to June 7, 2016 and continuing hearing on pretrial motions and status conference from april 26, 2016 to June 28, 2016 at 2:00 p.m. OFF CALENDAR FOR APRIL 26, 2016.

6/1/16 -- Court approved stipulation setting following dates:



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**CONT... Genius Products LLC**

**Chapter 7**

L/D to file pretrial motions continued to August 23, 2016  
Hearing on any pretrial motions continued to September 13, 2016 at 2:00 p.m.  
Status conference continued to September 13, 2016 at 2:00 p.m.  
OFF CALENDAR FOR JUNE 28, 2016.

8/22/16 -- Court approved stipulation setting following dates:

L/D to file pretrial motions continued to October 11, 2016  
Hearing on any pretrial motions continued to November 1, 2016 at 2:00 p.m.  
Status conference continued to November 1, 2016 at 2:00 p.m.  
OFF CALENDAR FOR SEPTEMBER 27, 2016.

Tentative Ruling for November 1, 2016:

Revisit status of action after conclusion of related matters on calendar.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Genius Products LLC

Pro Se

**Defendant(s):**

Trevor Drinkwater

Represented By  
Lance N Jurich  
Benjamin R King

**Plaintiff(s):**

Alfred H. Siegel

Represented By  
Lindsey L Smith  
David B Shemano  
James P Menton JR

**Trustee(s):**

Alfred H Siegel (TR)

Represented By  
Anthony A Friedman

**United States Bankruptcy Court  
Central District of California  
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**Tuesday, November 01, 2016**

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2:00 PM

**CONT... Genius Products LLC**

**Chapter 7**

Alfred H Siegel (TR)

Alfred H Siegel (TR)

Represented By  
James P Menton JR

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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2:00 PM

**2:11-62283 Genius Products LLC**

**Chapter 7**

Adv#: 2:15-01241 SIEGEL, CHAPTER 7 TR v. The Weinstein Company LLC et al

**#212.00** Motion to Consolidate Lead Case 15-01241 with 14-01287

Docket 69

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

If court grants motion for leave to amend, grant motion to consolidate. If court denies motion for leave to amend, deny motion to consolidate, but coordinate two adversary proceedings. Set them for status conferences at the same date and time and direct parties to depose witnesses simultaneously in both actions.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Genius Products LLC

Pro Se

**Defendant(s):**

The Weinstein Company Holding

Represented By  
Mette H Kurth  
Alan R Friedman

The Weinstein Company LLC

Represented By  
Mette H Kurth  
Alan R Friedman

**Plaintiff(s):**

ALFRED H SIEGEL, CHAPTER 7

Represented By  
David B Shemano  
James P Menton JR

**Trustee(s):**

Alfred H Siegel (TR)

Represented By

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Chief Judge Sheri Bluebond, Presiding  
Courtroom 1539 Calendar**

**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**CONT...**

**Genius Products LLC**

**Chapter 7**

Anthony A Friedman  
Alfred H Siegel (TR)  
Lindsey L Smith  
James P Menton JR

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Chief Judge Sheri Bluebond, Presiding  
Courtroom 1539 Calendar**

**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**2:11-62283 Genius Products LLC**

**Chapter 7**

Adv#: 2:15-01241 SIEGEL, CHAPTER 7 TR v. The Weinstein Company LLC et al

**#213.00** Defendant's Motion for Judgment on the Pleadings

Docket 68

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

Deny. These are fact intensive issues that the court is not inclined to summarily adjudicate. The fact that the contract may have been signed in 2006 does not necessarily resolve whether the transfers were avoidable when made. Court is not prepared to find at this juncture that, if transfers were made in satisfaction of obligations that arose under a contract, the making of which was itself a fraudulent transfer, these transfers cannot be recovered if the contract was originally made outside the statutory reachback period. Moreover, when did the particular obligations arise under the contract? Not all obligations relate back to the making of the contract. (The definition of a claim in bankruptcy is a different analysis than the incurring of an obligation for fraudulent transfer purposes.) See In re Omega Door Co., 399 B.R. 295 (Bankr. 6th Cir. 2009); In re Advanced Telecommunications Network, 490 F.3d 1325 (11th Cir. 2007).

<b>Party Information</b>
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**Debtor(s):**

Genius Products LLC

Pro Se

**Defendant(s):**

The Weinstein Company Holding

Represented By  
Mette H Kurth  
Alan R Friedman

The Weinstein Company LLC

Represented By  
Mette H Kurth  
Alan R Friedman

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Chief Judge Sheri Bluebond, Presiding  
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**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**CONT... Genius Products LLC**

**Chapter 7**

**Plaintiff(s):**

ALFRED H SIEGEL, CHAPTER 7

Represented By  
David B Shemano  
James P Menton JR

**Trustee(s):**

Alfred H Siegel (TR)

Represented By  
Anthony A Friedman  
Alfred H Siegel (TR)  
Lindsey L Smith  
James P Menton JR

**United States Bankruptcy Court  
Central District of California  
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**Tuesday, November 01, 2016**

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2:00 PM

**2:11-62283 Genius Products LLC**

**Chapter 7**

Adv#: 2:15-01241 SIEGEL, CHAPTER 7 TR v. The Weinstein Company LLC et al

**#214.00** Status Conference re: 13 (Recovery of money/property - 548 fraudulent transfer)),(14 (Recovery of money/property - other)),(91 (Declaratory judgment)) Complaint by Alfred H Siegel, against The Weinstein Company LLC, The Weinstein Company Holding

fr. 4-26-16, 6-28-16, 9-27-16

Docket 1

**Courtroom Deputy:**

- NONE LISTED -

**Tentative Ruling:**

What is the status of this matter? Are the parties on track to complete fact discovery by August 31, 2016? Set continued status conference. Vacate dates set by Judge Neiter for continued status conference and pretrial conference.

6/14/16 -- Court approved stipulation, but continued hearing to September 27, 2016 at 2:00 p.m. (rather than September 13). OFF CALENDAR FOR JUNE 28, 2016.

8/31/16 -- Court approved stipulation continuing status conference to November 1, 2016 at 2:00 p.m. OFF CALENDAR FOR SEPTEMBER 27, 2016. NO APPEARANCE REQUIRED.

Tentative Ruling for November 1, 2016:

Revisit status of action after conclusion of hearings on related motions.

<b>Party Information</b>
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**Debtor(s):**

Genius Products LLC

Pro Se

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Chief Judge Sheri Bluebond, Presiding  
Courtroom 1539 Calendar**

**Tuesday, November 01, 2016**

**Hearing Room 1539**

2:00 PM

**CONT... Genius Products LLC**

**Chapter 7**

**Defendant(s):**

The Weinstein Company Holding

Represented By  
Mette H Kurth  
Alan R Friedman

The Weinstein Company LLC

Represented By  
Mette H Kurth  
Alan R Friedman

**Interested Party(s):**

Courtesy NEF

Represented By  
Manoj D Ramia

**Plaintiff(s):**

ALFRED H SIEGEL, CHAPTER 7

Represented By  
David B Shemano  
James P Menton JR

**Trustee(s):**

Alfred H Siegel (TR)

Represented By  
James P Menton JR

Alfred H Siegel (TR)

Represented By  
Anthony A Friedman  
Alfred H Siegel (TR)

**U.S. Trustee(s):**

United States Trustee (LA)

Pro Se